



Lexington-Fayette Urban County Government  
FAYETTE COUNTY RURAL LAND MANAGEMENT BOARD, INCORPORATED

Jim Gray  
Mayor

Richard Moloney  
Chief Administrative Officer

Minutes

July 11, 2011

Call to Order: 3:00 p.m.

Location: LFUCG Center, 200 E. Main, 12th Floor Conference Room

Voting Members: Helen Alexander, Kentucky Thoroughbred Association  
Mariana Moore-Vice-Chair, Fayette County Neighborhood Council  
Karen Mundy, Lexington-Bluegrass Association Realtors  
Deborah Long, Historic Preservation Group  
Tom Thornbury, Kentucky Thoroughbred Association  
Kristen Clark, Fayette County Farm Bureau  
Greg Padgett, Home Builders Association

Absent: Greg Bibb-Treasurer, Commerce Lexington  
Nick Carter, Fayette County Extension Agent for Agriculture  
Vacant-Land Conservation Group  
Robert Hewett-Chair, Convention & Visitors Bureau  
Don Robinson, Fayette County Farm Bureau  
Charles Farmer, USDA/NRCS District Conservationist

Staff: Billy F. Van Pelt, MBA, RLA-Secretary and PDR Program Director  
Michael Sanner, Department of Law

Guests: Alice Guinones  
Jack Cunningham  
Margaret Graves  
Knox van Nagell  
Wally Murphy  
Cindy Murphy

Mr. Van Pelt read the slate of officers for the 2011 election: Robert Hewett, Chair; Mariana Moore, Vice-Chair; and Greg Bibb, Treasurer.

## BOARD ACTION

On a motion made by Greg Padgett, seconded by Deborah Long, the Board voted unanimously (7-0) to approve the slate of officers for the 2011 election.

## **Attendance**

Vice-Chair Moore asked everyone to sign the meeting sign-in sheet.

## **Approval of the June 6, 2011 meeting minutes**

## BOARD ACTION

On a motion made by Deborah Long, seconded by Helen Alexander, the Board voted unanimously (7-0) to approve the June 6, 2011 meeting minutes.

## **Old Business**

### A. FY11 budget

Mr. Van Pelt reviewed the remaining FY11 budget with the Board. He added that he was working with the Administration on a letter for the USDA/NRCS that will address providing a local match in FY12 and in FY13 for the 2011 grant from the Federal Farm and Ranch Lands Protection Program. Mr. Van Pelt also reported that he was working with Mr. Carter on a potential application to the Fayette County Agriculture Development Board. Mr. Van Pelt asked the Board to authorize him to apply for the grant funds on behalf of the Board.

## BOARD ACTION

On a motion made by Greg Padgett, seconded by Tom Thornbury, the Board voted unanimously (7-0) to authorize Mr. Van Pelt to apply to the Fayette County Agriculture Development Board for grant funds for conservation easement acquisition.

### B. Round 9 closings

Mr. Van Pelt reviewed a PDR map with the Board and reported that there are pending closings on farms 40-2002 and 9-2010.

### C. Round 11

Mr. Van Pelt reported that there are thirty six Round 11 applications with a total acreage of 2,980.364 acres.

## **New Business**

### A. PDR farm 22-02

Jack R. Cunningham of the Kentucky Mansions Preservation Foundation, Inc., presented a request of interpretation of agriculture Reserved Rights pursuant to Section 5 of the Deed of Conservation Easement dated February 6, 2006 and related to property located at 2650

Bowman Mill Road, Lexington, Kentucky 40510, so that a “period museum” could be operated as part of that Reserved Right. Mr. Cunningham distributed a Memorandum dated July 11, 2011 from the Kentucky Mansions Preservation Foundation, Inc. Mr. Sanner reported that a “period museum” was not a prohibited use and that it complies with the terms of the Deed of Conservation Easement. Mr. Cunningham stated that the historic house museum would not be used for special events.

### BOARD ACTION

On a motion made by Helen Alexander, seconded by Greg Padgett, the Board voted unanimously (7-0) to approve the use of the historic structure on Helm Place farm as a historic house museum and that it is in compliance with the Deed of Conservation Easement.

#### B. Education and Outreach Committee

Mr. Van Pelt asked members of the Board to volunteer to serve on this committee. Ms. Alexander and Mr. Thornbury volunteered to serve and Mr. Robinson was appointed to the committee by consensus of the Board.

#### C. Comprehensive Plan Update Committee

Mr. Van Pelt reported that the Committee met and requested that Chris King of the Division of Planning address the following concerns: expansion of the existing 20+/- business sites in

the Rural Services Area that predated the Urban Services Boundary; whether or not the existing Rural Activity Center boundaries would be expanded; whether or not the Sewerability Areas would be modified; the status of Transfer of Development Rights; and the status of Transfer of Development Rights in Rural Settlements. After reviewing Mr. King's responses, the Committee reached a consensus to ask Mr. Sanner to draft a resolution. The resolution will be adopted by the Board at the August meeting and will be forwarded to the Chair of the Urban County Council Planning Committee and the Chair of the Planning Commission after its adoption.

- The Fayette County Rural Land Management Board, Incorporated should reaffirm the recommendations made in the Rural Service Area Land Management Plan.
- The Rural Service Area Land Management Plan should be updated with the most current information.
- The Rural Service Area Land Management Plan should be reaffirmed and readopted as part of the 2012 Comprehensive Plan.
- The Mission Statement of the 2012 Comprehensive Plan Update should contain Goals that include the Purchase of Development Rights program and the Rural Service Area Land Management Plan.
- The Rural Service Area Land Management Plan should be expressly stated as a Goal and Objective of the 2012 Comprehensive Plan.
- The Purchase of Development Rights program should be expressly stated as a Goal and Objective in the 2012 Comprehensive Plan.
- The draft 2012 Comprehensive Plan Update Goals and Objectives should be amended to reflect the Goals and Objectives of the Rural Service Area Land Management Plan.

- All text referencing the Transfer of Development Rights should be deleted from the Rural Service Area Land Management Plan.
- There shall be no changes to the PDR program application, the PDR program application process, the PDR Ordinance, the PDR ranking system or the PDR ranking process.

### BOARD ACTION

On a motion made by Tom Thornbury, seconded by Greg Padgett, the Board voted unanimously (7-0) to authorize Mr. Sanner to draft a resolution for Board adoption at the August meeting.

#### D. PDR farm sales

Mr. Van Pelt reported that farms 17-2004 and 16-2008 and had sold.

### **Public Comment**

None

### **Closed Executive Session**

- A. Discuss the Round 10 appraisals and the Round 11 Initial Ranking, the public discussion of which may affect the value of the conservation easements of Round 10 and Round 11 farms.

## BOARD ACTION

On a motion made by Deborah Long, seconded by Karen Mundy, the Board voted unanimously (7-0) to enter into Closed Executive Session.

Vice-Chair Moore declared the meeting to be in Open Session.

### **Round 10 offers**

A. Board action on Round 10 offers

## BOARD ACTION

On a motion made by Deborah Long, seconded by Karen Mundy, the Board voted unanimously (7-0) to authorize Mr. Van Pelt to make an offer to farm 11-2011 and if that farm withdraws their application, to make an offer to farm 7-2011, as discussed in Closed Executive Session.

### **Round 11 Initial Ranking**

A. Board action on Round 11 Initial Ranking

## BOARD ACTION

On a motion made by Greg Padgett, seconded by Karen Mundy, the Board voted unanimously (7-0) to authorize Mr. Van Pelt to send out the Initial Ranking, as discussed in Closed Executive Session.

### **Adjournment**

Vice-Chair Moore declared the meeting adjourned.